

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL THOMAS BAD OLD
MAN,

Defendant.

CR-13-52-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on August 13, 2021. (Doc. 245.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on August 12, 2021. (Doc. 241.) The United States accused Bad Old Man of violating his conditions of supervised release 1) by using methamphetamine; 2) by consuming alcohol; 3) by failing to complete his drug treatment program; and 4) by committing another crime. (Doc. 245.)

At the revocation hearing, Bad Old Man admitted to violating the conditions of his supervised release 1) by using methamphetamine; 2) by consuming alcohol; 3) by failing to complete his drug treatment program; and 4) by committing another crime. (Doc.241.) Judge Johnston found that the violations Bad Old Man admitted proved to be serious and warranted revocation, and recommended that Bad Old Man receive a custodial sentence of 9 months with no supervised release to follow. (Doc.245.) Bad Old Man was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 241.) The violations prove serious and warrant revocation of Belgarde's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 245) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Michael Thomas Bad Old Man be sentenced to the custody of the United States Bureau of Prisons for 9 months, with no supervised release to follow.

DATED this 31st day of August, 2021.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with the first name "Brian" and last name "Morris" clearly distinguishable.

Brian Morris, Chief District Judge
United States District Court

